

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

ROBIN O'NEILL,	:
Petitioner,	:
	:
v.	: Docket No.
	: 2:22-CV-140-wks-kjd
	:
NICHOLAS DEML, Commissioner,	:
Vermont Department of Corrections,	:
	:
Respondent.	:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed February 16, 2023. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

The Respondent's Limited Motion to Dismiss for Failure to Exhaust State Court Remedies (Doc. 9) is GRANTED and Petitioner's §2254 Petition (Doc. 1) is DISMISSED without prejudice. Petitioner may refile her Petition when her claims have been exhausted in state court. In addition, Respondent's Motion for Extension of Time to Answer (Doc. 9) and Petitioner's Renewed Motion for Appointment of Counsel (Doc. 12) are DENIED AS MOOT.

Dated at Burlington, in the District of Vermont, this 13th
day of March, 2023.

/s/ William K. Sessions III
William K. Sessions III
District Court Judge